

Notice of Allowability

Application No.

09/774,795

Examiner

Lewis A. Bullock, Jr.

Applicant(s)

PARRY, TRAVIS

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After final response filed 8/22/05.
2. ☒ The allowed claim(s) is/are 1, 2, 5-9 and 12-20 now renumbered 1-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jay Brooks on September 8, 2005.

The application has been amended as follows:

The claims are amended as follows:

Claim 1 (Currently Amended). A computer program product, comprising:

a computer-readable medium containing instructions for controlling a computer system to perform a method of delaying issuing a command for beginning of an operation, the method comprising:

requesting that a user input a delay criteria through a graphical user interface before the initiation of the operation, wherein the delay criteria include both a time and a particular situation, wherein the particular situation is selected from the group of a period of time a printer has remained idle and a lights off situation in an office; and delaying performance by the computer system of the operation until the delay criteria has been met;

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wherein the operation comprises at least one operation chosen from the group consisting of a print command, an e-mailing distribution, a software installation, a file transfer protocol upload, a web site posting and an internet phone call.

Claim 3 (Canceled).

Claim 4 (canceled).

Claim 8 (Currently Amended). A method for controlling a computer system to delay issuing a command for beginning an operation comprising:

requesting that a user input a delay criteria through a graphical user interface for the operation before an initiation of an operation; and

delaying performance of the operation until the delay criteria has been met, wherein the delay criteria include both a time and a particular situation wherein the particular situation is selected from the group of a period of time a printer has remained idle and a lights off situation in an office;

wherein the operation comprises at least one operation chosen from the group consisting of a print command, an e-mailing distribution, a software installation, a file transfer protocol upload, a web site posting and an internet phone call.

Claim 10 (Cancel).

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Claim 11 (Cancel).

Claim 15 (Currently Amended). A computing system comprising:

a processor;

a user-programmable delaying device to receive a delay criteria through a graphical user interface before issuing a command for beginning an operation wherein the operation comprises at least one operation chosen from the group consisting of a print command, an e-mailing distribution, a software installation, a file transfer protocol upload, a web site posting and an internet phone call, wherein the delay criteria include both a time and a particular situation wherein the particular situation is selected from the group of a period of time a printer has remained idle and a lights off situation in an office;

the delaying device operably connected to the processor delaying performance of the operation until the delay criteria has been met;

a storage device operably connected to the processor; and

a printer operably connected to the storage device.

Claim 17 (Currently Amended). The system of claim 15, wherein the delaying device can be delayed until a user-programmable set time.

2. The following is an examiner's statement of reasons for allowance: The claims are allowable for at least the following reasons: All of the claims indicate that the user

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through a graphical user interface input or program a delay criteria which indicates a time and a particular situation wherein the situation is selected from the group of a period of time a printer has remained idle and a lights off situation in an office, and delaying performance of an operation until the delay criteria has been met. None of the prior art of record taught the users GUI input of the time and criteria as defined in the claims and specification for delaying the issuing of a command for beginning an operation. U.S. Patent 6,240,460, herein Mitsutake, taught inputting a time delay and a bandwidth condition before performing a print operation or e-mail operation and performing the cited operations after the conditions have been met. The remaining cited prior art of record teach various GUI interfaces for inputting a delay criteria for an operation before initiating a command for the operation and delaying the performance of an operation until the criteria has been met, i.e. delaying a to a set time. However, none of the prior art of record teach that the situations include a period of time a printer has remained idle or a lights off situation in an office, inputting a time and a particular situation as a delay criteria before issuing a command for beginning the operation, and delaying performance of the operation until the criteria is met. Therefore, the claims are allowable over the cited prior art of record.

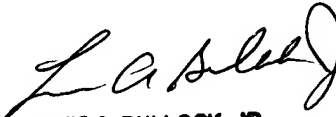
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 9, 2005


LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER